

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WP(C).No. 14281 of 2007(A)

PETITIONER:

1. SHINES INDIA (P) LTD, P.O.BOX NO.5,
SHINES TOURSIT HOTEL,PANDALAM,
REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR
K.K.SWAMINATHAN.
2. RAJAMMA SWAMINATHAN,
PROPRITRIX,SHINES TOURSIT HOTEL,PANDALAM.
3. SWAMINATHAN K.K.,VIDYA BHAVAN,PANDALAM.

BY ADV. SRI.N.SUKUMARAN
SRI.S.SHYAM
SRI.LATHEESH SEBASTIAN

RESPONDENTS:

1. KERALA FINANCIAL CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
VELLAYAMBALAM,THIRUVANANTHAPURAM.
2. THE DISTRICT MANAGER,
KERALA FINANCIAL CORPORATION,
PAZHAMANNIL JESSY TOWERS,
PATHANAMTHITTA DISTRICT.
3. THE DISTRICT MANAGER,
KERALA FINANCIAL CORPORATION,
VELLAYAMBALAM,THIRUVANANTHAPURAM.

BY ADV. SRI.V.B.UNNIRAJ, SC, KFC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE LETTER OF THE 2ND RESPONDENT DATED 27.1.2007 TO THE 2ND PETITIONER.
- EXT.P2: COPY OF THE LETTER OF THE 3RD RESPONDENT DATED 16.1.2007 TO THE 1ST RESPONDENT.
- EXT.P3: COPY OF THE REPRESENTATION DATED 27.4.2007 TO THE 3RD RESPONDENT.
- EXT.P4: COPY OF THE RECEIPT DATED 18.3.2006 EVIDENCING PAYMENT OF RS.23,15,943/-.
- EXT.P5: COPY OF THE RECEIPT DATED 18.3.2006 EVIDENCING PAYMENT OF RS.13,00,000/-.

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// TRUE COPY//

P.A TO JUDGE.

S.SIRI JAGAN, J.
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W.P.C. No. 14281 OF 2007

Dated this the 18th day of June, 2007

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JUDGMENT

Learned counsel for the petitioner submits that although the petitioner could not pay the amount as directed in the Interim Order dated 4.5.2007, the petitioner would be in a position to pay off the entire amount due as demanded by the first respondent within a period of one month since he expects to receive sufficient money within that time . He therefore seeks appropriate direction to the respondents in the matter. I heard the learned counsel for the respondents also. Considering the facts and circumstances of the case, the Writ Petition is disposed of recording the undertaking of the petitioner that the entire amount due from the petitioner to the respondents would be paid within one month. If the petitioner fails to pay the amount as undertaken, it would be open to the respondent to continue the proceedings as now initiated, without having to issue any further notice to the petitioner in this regard.

The Writ Petition is disposed accordingly.

S.SIRI JAGAN
Judge.

bkn